

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
**January 29, 2019**

*This notice is also available on our web page at the following address:  
[http://apps.wrd.state.or.us/apps/misc/wrd\\_notice\\_view/?notice\\_id=21](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21)*

This publication lists agency activities requiring public notice. It also describes public comment processes and deadlines. Types of water use requests in this week's Public Notice include:

- \* **Permit Application Initial Reviews, Proposed Final Orders, and Final Orders**  
Applications for permits to use, store, divert or pump surface water or groundwater. Includes applications by the state Departments of Fish & Wildlife, Environmental Quality or Parks and Recreation for water to be used and kept in-channel.
- \* **Alternate Reservoir Applications (ORS 537.409)**  
Applications for storage permits for small ponds filed under a simplified review process.
- \* **Applications for Allocation Of Conserved Water**  
Applications made by a water user who conserves water to use a portion of the conserved water on additional lands, lease or sell the water, or dedicate the water to instream use.
- \* **Applications for Extensions of Time to Perfect Water Right Permits**  
New applications received and proposed final orders regarding requests to extend time limits to fully develop water use projects and beneficially apply water.
- \* **Pending Municipal Permit Extension Applications**
- \* **Applications for Limited Licenses**  
Requests to use water for 5 years or less. Licenses are subordinate to other rights and may be revoked if a use is found to injure other water right holders.
- \* **Application for Instream Lease**  
Application by water right holder to lease existing water rights to instream use.
- \* **Transfer Applications: Regular**  
Requests to change point of diversion or appropriation, place of use, or character of use upon which the public may comment. The changes may be proposed in an application for a transfer (including instream or historic POD), an exchange, or a substitution.
- \* **Transfer Preliminary Determinations**  
Requests to change point of diversion or appropriation, place of use, and character of use upon which the public may protest the application and Department's preliminary determination.

- \* **Transfer Applications: Permit Amendments**  
Requests to amend permits.
- \* **Ground Water Registration Modifications**  
Applications requesting Department recognition of changes in point of appropriation, place of use and character of use under a ground water certificate of registration.
- \* **Water Management and Conservation Plan Progress Reports**  
Water management and conservation plan progress reports submitted by municipalities under provisions of OAR Chapter 690, Division 86.
- \* **Certificate Issuance**  
Included in this section is a listing of recently issued water right certificates.
- \* **HE 260 Notice of Intent to Reauthorize**

The Public Notice is published each week on the Department's web site at <http://www.wrd.state.or.us/>. If you would like to receive a *free* weekly notification when it is published, please send your request to [Stacy.H.Phillips@oregon.gov](mailto:Stacy.H.Phillips@oregon.gov).

## How to Read the Listing

**App#:**

- G: Groundwater
- R: Reservoir
- S: Surface water
- I: Instream
- T: Transfer
- LL: Limited License

**County/Basin (See Map)**



**Applicant Name**

**Applicant Address**

**Sources/TRSQ40Q160**

**Use/Quantity**

Unit of measure:

- CFS: Cubic feet per second
- GPM: Gallons per minute
- AF: Acre-feet

**Priority Date**

**Stage/ Status**

- IR: Initial Review
- PFO: Proposed Final Order

BASINS:		
1. North Coast	8. Grande Ronde	15. Rogue
2. Willamette	9. Powder	16. Umpqua
3. Sandy	10. Malheur	17. S. Coast
4. Hood	11. Owyhee	18. Mid-Coast
5. Deschutes	12. Malheur L.	19. Columbia
6. John Day	13. Goose/Summer L	20. Snake
7. Umatilla	14. Klamath	

**Commonly used “Type of Use” abbreviations (for definitions, consult Oregon Administrative Rules 690-300):**

AG: Agriculture	GR: Groundwater recharge	MU: Municipal
CR: Cranberry uses	GT: Geothermal	NU: Nursery use
CM: Commercial	ID: Irrigation with domestic	PA: Pollution abatement
DI, DN: Domestic including non-commercial lawn & garden	IL: Irrigation with livestock	PW: Power
DO: Domestic	IM: Industrial or manufacturing	QM: Quasi-municipal
DS: Domestic & stock	IR: Irrigation	RC: Recreation
FI: Fish	IS: Irrigation, supplemental	RW: Road construction
FP: Fire protection	LV: Livestock	TC: Temperature control
FW: Fish & wildlife	LW: Livestock & wildlife	WI: Wildlife
GD: Group domestic	MI: Mining	

## **Initial Review and Proposed Final Orders**

The following pages of this notice list permit applications that the Department is evaluating for compliance with state water law. Public participation and comment is encouraged. Opportunities for public involvement vary according to the stage of the permit evaluation.

Ground water permit applications in the Deschutes Basin (Basin 5) may seek to provide mitigation pursuant to the Deschutes Ground Water Mitigation Rules.

### **Initial Review Stage (IR)**

The Department has given the applicant an initial review of water-use restrictions, water availability and other limitations that affect the agency's decision on whether to issue a permit. The Department welcomes comments from interested persons, agencies and organizations on the proposed water use.

**The comment deadline for initial reviews appearing in this public notice is 5pm, Thursday, February 28, 2019.** Although we cannot respond individually to all comments, each will be considered as the agency makes its decision regarding proposed allocations.

### **Proposed Final Order Stage (PFO)**

The proposed final order is the Department's penultimate decision on the water use request. The PFO documents the agency's decision through specific findings, including review of comments received. If appropriate, it includes a draft permit specifying any conditions or restrictions on the use. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$25. (Any person paying \$25 to receive a PFO by mail will also receive a copy of the Final Order when it is issued.) PFO's may be viewed free of charge online at: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>. Those disagreeing with the Department's decision as expressed in the PFO have 45 days to file a protest.

**The protest deadline for proposed final orders appearing in this public notice is 5pm, Friday, March 15, 2019.**

The protest filing fee is \$410 for the applicants and \$810 for non-applicants. Detailed requirements for filing a protest are included in the PFO. Persons who support the PFO may file a "standing" fee of \$230 to retain the ability to participate in future proceedings relating to an application. Before participation in a hearing is allowed, an additional \$580 will be required to request to participate as a party or limited party.

If a protest or comment deadline falls on a day that the office is closed, then the next open business day automatically becomes the deadline date.

## Initial Review and Proposed Final Orders

App# [G-18730](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name REGAL, MITCHELL  
15869 SUNSET TRAIL  
PINE CITY, MN 55063  
Sources/TRSQ40Q160 A WELL > RUSSELL CREEK / 3.00S 5.00W 16 NWSE  
Use/Quantity IRRIGATION / 0.110 CFS  
Priority Date 08/28/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18744](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name EMINENT DOMAINE LLC  
MEADER, JEFFREY W.  
20875 NE RIBBON RIDGE RD  
NEWBER, OR 97132  
Sources/TRSQ40Q160 A WELL > UNNAMED STREAM / 3.00S 3.00W 5 SENE  
Use/Quantity IRRIGATION / 0.150 CFS  
Priority Date 10/24/2018  
Stage/Status IR / PROPOSE TO APPROVE

App# [G-18764](#)  
County/Basin Benton / Willamette (2)  
Applicant Name OREGON DREAMS LLC  
PO BOX 392  
MONROE, OR 97456  
SELLS, BECKI  
25664 OCCIDENTAL LANE  
MONROE, OR 97456  
Sources/TRSQ40Q160 A WELL > LONG TOM RIVER / 14.00S 5.00W 18 NENW  
Use/Quantity IRRIGATION / 0.125 CFS  
Priority Date 11/21/2018  
Stage/Status IR / PROPOSE TO APPROVE

## Final Orders - Permit & Limited License Applications

Following is a list of applications for new appropriations that have had final orders issued recently. If you would like a hard copy of an order mailed to you, send a request with \$25.00 for each order to the Water Rights Section, Oregon Water Resources Department, 725 Summer Street NE Suite A, Salem OR 97301. If you have any questions, please contact the Department's customer service staff by dialing 503-986-0801.

App#	<a href="#">G-18066</a>
County/Basin	Wheeler / John Day (6)
Applicant Name	SIX SHOOTER RANCH V LLC HAMEL, JIM 2357 HILLSIDE RD RICHFIELD, WI 53076
Priority Date	04/16/2015
Issue Date	01/24/2019
Status	WITHDRAWN
App#	<a href="#">G-18696</a>
County/Basin	Lane / Willamette (2)
Applicant Name	KNIFE RIVER CORPORATION - NORTHWEST ATTN: JEFF STEYAERT 32260 OLD HWY 34 TANGENT, OR 97389
Priority Date	05/31/2018
Issue Date	02/14/2019
Status	WITHDRAWN
App#	<a href="#">R-88656</a>
County/Basin	Lane / Willamette (2)
Applicant Name	DEANGELO, RICK PO BOX 1450 VENETA, OR 97487
Priority Date	08/06/2018
Issue Date	01/22/2019
Status	APPROVED
App#	<a href="#">S-88277</a>
County/Basin	Josephine / Rogue (15)
Applicant Name	SWIECICKI, DAVID P. 1010 E BOBIER DR 107 VISTA, CA 92084
Priority Date	08/25/2016
Issue Date	01/23/2019
Status	APPROVED

## **Alternate Reservoir Applications (ORS 537.409)**

For alternate reservoir applications filed under ORS 537.409, the public is invited to comment within 60 days of this notice. The law provides that within 60 days after the Department provides public notice of the application, any person may submit detailed, legally obtained information in writing, requesting the Department to deny the application for a permit on the basis that the reservoir:

- (A) Would result in injury to an existing water right; or
- (B) Would pose a significant detrimental impact to existing fishery resources as determined on the basis of information submitted by the State Department of Fish and Wildlife.

**Such comments must be submitted on or before March 30, 2019.**

App# [R-88695](#)  
County/Basin Washington / Willamette (2)  
Applicant Name CANTLON, ASHLEY  
OTAK INC.  
808 SW 3RD AVE SUITE 300  
PORTLAND, OR 97204  
  
RED HILLS FARM LLC  
PO BOX 189  
DAYTON, OR 97114  
Sources/TRSQ40Q160 RUNOFF > CEDAR CREEK / 3.00S 2.00W 11 NWNW  
Use/Quantity MULTIPLE PURPOSE / 3.800 AF  
Priority Date 01/22/2019

App# [R-88696](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name CANTLON, ASHLEY  
OTAK INC.  
808 SW 3RD AVE SUITE 300  
PORTLAND, OR 97204  
  
RED HILLS FARM LLC  
PO BOX 189  
DAYTON, OR 97114  
Sources/TRSQ40Q160 RUNOFF > CHEHALEM CREEK / 2.00S 3.00W 29 NWSE  
Use/Quantity MULTIPLE PURPOSE / 1.760 AF  
Priority Date 01/22/2019

## **Applications for Allocation Of Conserved Water**

The following applications for allocation of conserved water have been received pursuant to ORS 537.455 to 537.500 and OAR Chapter 690, Division 18. In reviewing the applications, the Department will consider whether the diversion for the uses allowed under the original water right will be reduced by the conservation project, whether existing water rights will be protected from injury, and whether the project is in compliance with local comprehensive land use plans.

### **Notice of Application for Allocation of Conserved Water CW-106**

On January 7, 2019, Swalley Irrigation District (SID), 64672 Cook Avenue, Bend, OR 97703, filed an application for Allocation of Conserved Water under ORS 537.470. Certificate 74145 is for a total of approx. 83 CFS from the Deschutes River. The main canal diversion is located in the SENE of Sec. 29, T. 17S, R. 12E, W.M. The conservation project proposes to replace approx. 16,045 feet of open ditch on the Rogers & Rogers-Sub lateral with buried HDPE pipelines, conserving approximately 1.8 CFS limited to 561 acre-feet under a September 1, 1899 priority date. SID proposes 100% of the conserved water to be protected instream.

Any party may provide written comments directly related to CW-106 within 20 days of the last date of newspaper publication, **February 9, 2019**. Comments should be sent to ACW Program, Water Resources Department, 725 Summer Street NE, Suite A, Salem, OR 97301-1266. WRD will review all comments received when determining whether to approve the proposed ACW.



**Applications for Extensions of Time  
to Perfect Water Right Permits filed pursuant to OAR 690-315**

**Consistent with OAR 690-315-0050, the Department will accept public comment on the following extension applications until February 28, 2019.** Following the comment period, the Department will prepare and issue a proposed final order. Individuals who would like a copy of the proposed final order may request copies by sending a request and \$25 (the charge required by law). Please indicate the file number. Copies of the proposed final order may be viewed at the Department and/or self-copied. Individuals wishing to obtain a copy of the extension application should contact the Department by phone or in person.

App#	<a href="#">G-13672</a>
Permit Number	G-12002
County/Basin	Clackamas / Willamette (2)
Applicant Name	GIBLER, RHODA 26650 SE EAGLE CREEK RD ESTACADA, OR 97023
Sources/TRSQ40Q160	WELL 1 > CURRIN CREEK / 3.00S 4.00E 7 NENW WELL 2 > CURRIN CREEK / 3.00S 4.00E 7 NENW
Use/Quantity	AGRICULTURE USES / 0.288 CFS
Proposed Completion Date	10/01/2024
App#	<a href="#">G-15206</a>
Permit Number	G-15592
County/Basin	Clackamas / Willamette (2)
Applicant Name	MAN, JOHN AND MONICA 29611 S SPRAGUE RD MOLALLA, OR 97038
Sources/TRSQ40Q160	A WELL > MOLALLA RIVER / 4.00S 2.00E 33 NESW
Use/Quantity	IRRIGATION / 1.000 CFS
Proposed Completion Date	10/01/2024
App#	<a href="#">S-68665</a>
Permit Number	S-49685
County/Basin	Tillamook / North Coast (1)
Applicant Name	COUNTY OF TILLAMOOK HEBO SCHOOL DISTRICT 201 LAUREL AVE TILLAMOOK, OR 97141
Sources/TRSQ40Q160	A SPRING > THREE RIVERS / 4.00S 10.00W 13 SENE
Use/Quantity	QUASI-MUNICIPAL USES / 0.138 CFS
Proposed Completion Date	10/01/2024

## **Proposed Final Orders Regarding Applications for Extensions of Time for Water Right Permits**

ORS 537.230, 537.248, 537.630 and 539.010 authorize the Water Resources Department to extend time limits contained in water right permits for completing construction of water development projects and applying water to full beneficial use. Procedures for permit holders to apply for extensions and for the Department to evaluate and determine whether or not to approve extensions of time are contained in OAR 690-320-0010 for extensions filed before July 1, 2001, and in OAR 690-315-0010 for extensions filed on or after July 1, 2001.

Proposed Final Orders (PFO's) are the Department's preliminary decision on extension requests. They document the agency's decision through specific findings. Persons interested in receiving a mailed copy of a PFO must pay a statutorily-required fee of \$25. (Any person paying to receive a PFO by mail will also receive a copy of the Final Order when it is issued). PFO's may be viewed for free at the Department's Salem Office or at the appropriate watermaster district office.

### **Extension of Time Public Notice and Comment Procedures**

**Written comments on or written protests against a PFO must be submitted on or before March 15, 2019.** There is no fee for submission of comments. The protest filing fee is \$410 for the applicant and \$810 for non-applicants. Detailed requirements for filing a protest will be sent with copies of the PFO.

#### **1.) OAR-690-315**

App#	S-86239
Permit#	<a href="#">S-54242</a>
County/Basin	Lane / Middle Coast (18)
Applicant Name	SHOAI, PARVIZ 480 OCEAN AVE LAGUNA BEACH, CA 92651
Sources/TRSQ40Q160 Use/Quantity	SILTCOOS LAKE > SILTCOOS RIVER / 19.00S 12.00W 27 NESE DOMESTIC / 0.010 CFS
App#	S-86238
Permit#	<a href="#">S-54241</a>
County/Basin	Lane / Middle Coast (18)
Applicant Name	SHOAI, PARVIZ 480 OCEAN AVE LAGUNA BEACH, CA 92651
Sources/TRSQ40Q160 Use/Quantity	SILTCOOS LAKE > SILTCOOS RIVER / 19.00S 12.00W 27 NESE DOMESTIC / 0.010 CFS
App#	S-85718
Permit#	<a href="#">S-54025</a>
County/Basin	Lane / Middle Coast (18)
Applicant Name	MCFARLAND TRUST 864 S 68TH ST SPRINGFIELD, OR 97478
Sources/TRSQ40Q160 Use/Quantity	SILTCOOS LAKE > SILTCOOS RIVER / 19.00S 12.00W 26 NENE DOMESTIC / 0.005 CFS

App# S-87805  
Permit# [S-54778](#)  
County/Basin Yamhill / Willamette (2)  
Applicant Name DERA EVE FAMILY LLC  
PO BOX 3  
MCMINNVILLE, OR 97128  
Sources/TRSQ40Q160 A RESERVOIR > ASH SWALE / 5.00S 4.00W 28 NWSW  
A RESERVOIR > ASH SWALE / 5.00S 4.00W 29 NESE  
Use/Quantity IRRIGATION / 24.000 AF

App# G-15977  
Permit# [G-15710](#)  
County/Basin Baker / Powder (9)  
Applicant Name ALLEN, BRAD AND JUNE C.  
48748 MCCARTY BRIDGE RD  
NORTH POWDER, OR 97867

MCEST RANCHES LLC  
PO BOX 1726  
YAKIMA, WA 98907

NORTHWEST FARM CREDIT SERVICES FLCA  
PO BOX 1610  
2735 ALLEN RD  
SUNNYSIDE, WA 97944  
Sources/TRSQ40Q160 A WELL > POWDER RIVER / 7.00S 39.00E 15 SESE  
A WELL > POWDER RIVER / 7.00S 39.00E 14 NWSW  
A WELL > POWDER RIVER / 7.00S 39.00E 14 SESW  
A WELL > POWDER RIVER / 7.00S 39.00E 14 SENW  
A WELL > POWDER RIVER / 7.00S 39.00E 14 SWNE  
A WELL > POWDER RIVER / 7.00S 39.00E 14 SESE  
A WELL > POWDER RIVER / 7.00S 39.00E 13 SWNW  
A WELL > POWDER RIVER / 7.00S 39.00E 13 SESE  
A WELL > POWDER RIVER / 7.00S 39.00E 13 NESE  
A WELL > POWDER RIVER / 7.00S 39.00E 24 NENE  
A WELL > POWDER RIVER / 7.00S 39.00E 24 SESE  
A WELL > POWDER RIVER / 7.00S 39.00E 25 NENE  
A WELL > POWDER RIVER / 7.00S 40.00E 19 SWSE  
A WELL > POWDER RIVER / 7.00S 40.00E 19 SESE  
A WELL > POWDER RIVER / 7.00S 39.00E 13 NWNE  
Use/Quantity IRRIGATION / SUPPLEMENTAL IRRIGATION / 17.980 CFS

**Pending Municipal Permit Extension Applications Sent to  
Oregon Department of Fish and Wildlife for Review**

**Consistent with OAR 690-315-0080 the Department must notify Oregon Department of Fish and Wildlife of certain pending municipal water use extension applications.** If applicable under OAR 690-315-0080 any undeveloped portion of a municipal permit must be conditioned to maintain the persistence of listed fish species in the portions of waterways affected by water use under the permit. The following applications were referred to the Oregon Department of Fish and Wildlife on January 25, 2019.

<b>Application Number</b>	<b>S-49101</b>
Permit Number	S-36777
Applicant Name	CITY OF ENTERPRISE
Source	THREE SPRINGS > WALLOWA RIVER
Use/Quantity	MUNICIPAL / 14.75 CFS

<b>Application Number</b>	<b>S-51178</b>
Permit Number	S-39123
Applicant Name	CITY OF ENTERPRISE
Source	THREE SPRINGS > WALLOWA RIVER
Use/Quantity	MUNICIPAL / 12.25 CFS

## Applications for Limited Licenses

A limited license allows the right to use or store water for no more than 5 consecutive years. Use of water under a limited license is subordinate to all other authorized uses and may be shut-off at any time to satisfy those other uses. In addition, the Department may revoke a limited license if its use causes injury to any other water right or minimum perennial streamflow.

Licenseses must maintain a record of how much water they are using (ORS 537.143). **The Department may approve a license after February 12, 2019, upon finding that the proposed water use will not impair or be detrimental to the public interest (OAR 690-340-030).** The public is invited to provide comments that will assist the Director in determining whether the use would impair or be detrimental to the public interest. If the applicant applies for a use that is not one of the standard uses listed in OAR 690-300, the Department may, for the purposes of this notice, assign a named use that is reasonably close to the use actually requested. The public may examine the actual application by clicking the associated hyperlink and then choosing “LL Application” under “Scanned Documents.”

App#	<a href="#">LL-1770</a>
County/Basin	Crook / Deschutes (5)
Applicant Name	CITY OF PRINEVILLE ATTN ERIC KLANN 387 NE 3RD ST PRINEVILLE, OR 97754
Sources/TRSQ40Q160	GROUNDWATER > CROOKED RIVER BASIN / 14.00S 15.00E 25 SWSE
Use/Quantity	MUNICIPAL / 300 GPM

## Applications for Instream Lease

ORS 537.348 authorizes a water right holder to lease their existing water right(s) to instream use for a limited time. For the term of the lease, the water right holder agrees to suspend use of water under the original right. The state is the trustee for water rights leased for instream use. OAR 690-077-0077 requires that the Department public notice the lease applications.

**The deadline for submitting claims of injury to existing water rights or enlargement of the original right against a lease application is February 19, 2019.** Parties to the lease, including the Department, will review any such claims before the lease is finalized. The lease files are available for viewing at the Salem office of the Water Resources Department. If you have questions or comments please contact the Lease Specialist at 503-986-0898.

Lease#	<a href="#">IL 211</a>
County/Basin	Douglas / Umpqua (16)
Certificate	80887
Lessor	NORTHCRAFT, RON 1685 NW HOPPER ROSEBURG, OR 97470
Priority Date	02/13/1951
Source/Tributary To	NORTH UMPQUA RIVER / UMPQUA RIVER

## Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before February 28, 2019. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer [T 13106](#)  
Water Right Cert: 29901, Cert: 29903, Cert: 39456  
County/Basin Polk / Willamette (2)  
Applicant Name KUEHNE C/O, PAUL  
WILLAMETTE VALLEY LAND LLC  
PO BOX 99  
LAFAYETTE, OR 97127  
Proposed Change PLACE OF USE  
Sources/TRSQ40Q160 JOHN HOCKSTRE RESERVOIR > SALT CREEK / 7.00S 5.00W 6 NENE  
RESERVOIR > SALT CREEK / 7.00S 5.00W 6 NENE  
SALT CREEK > SOUTH YAMHILL RIVER / 7.00S 5.00W 6 NENE  
Use/Quantity SUPPLEMENTAL IRRIGATION / 3.500 AF  
IRRIGATION / 0.820 CFS  
IRRIGATION / 0.310 CFS  
Priority Date 03/01/1957, 04/23/1958, 02/16/1968

Transfer [T 13107](#)  
Water Right Cert: 91597 CR  
County/Basin Morrow / Umatilla (7)  
Applicant Name PORT OF MORROW  
PO BOX 200  
2 MARINE DR  
BOARDMAN, OR 97818  
Proposed Change ADDITIONAL POINT OF DIVERSION, PLACE OF USE, USE  
Sources/TRSQ40Q160 A WELL > UMATILLA RIVER BASIN / 4.00N 25.00E 10 NWN  
COLUMBIA RIVER > PACIFIC OCEAN / 5.00N 25.00E 35 SWSE  
Use/Quantity IRRIGATION / 7.790 CFS  
IRRIGATION / 43.950 CFS  
Priority Date 11/05/1971

Transfer [T 13108](#)  
Water Right Cert: 47713  
County/Basin Josephine / Rogue (15)  
Applicant Name HANLEY, DANNY  
189 HOFFMAN WAY  
GRANTS PASS, OR 97526  
Proposed Change ADDITIONAL POINT OF APPROPRIATION  
Sources/TRSQ40Q160 WELL #1 > LOUSE CREEK / 35.00S 5.00W 30 SENW  
WELL #2 > LOUSE CREEK / 35.00S 5.00W 30 SENW  
Use/Quantity IRRIGATION / 0.150 CFS  
IRRIGATION / 0.080 CFS  
Priority Date 09/07/1972

Transfer	<a href="#">T 13111</a>
Water Right	Cert: 83738
County/Basin	Baker / Powder (9)
Applicant Name	SEXTON LAND LLC 47307 ANTHONY LAKES HWY HAINES, OR 97833
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	NORTH POWDER RIVER > POWDER RIVER / 7.00S 38.00E 19 NESW NORTH POWDER RIVER > POWDER RIVER / 7.00S 38.00E 18 SWSE NORTH POWDER RIVER > POWDER RIVER / 7.00S 38.00E 5 NWNE
Use/Quantity	LIVESTOCK / 21.690 CFS
Priority Date	12/31/1873, 1887, 1888, 1890, 1893, 1895, 1903, 1904



## **Transfer Preliminary Determinations**

A Preliminary Determination provides the Department's conclusion as to whether a proposed change in place of use, point of diversion or appropriation, or character of use of an existing water right should be approved. Changes of water rights may be proposed in an application for transfer (including instream, historic POD, exchange, substitution or ground water registration modification).

The Department has issued preliminary determinations on the transfer applications listed below. In addition to this notice, the Department is complying with ORS 540.520(2) that requires publication of notice in a local newspaper for all transfers except those proposing a change in place of use only or a change in point of diversion of less than ¼ mile where there are no intervening diversion points.

Any person may protest the application and preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-0900, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$810 protest fee for non-applicant and \$410.00 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before February 28, 2019, or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

**T-12957** filed by Bly Water and Sanitary District, PO Box 72, Bly, OR 97622, proposes additional points of appropriation and a change in place of use and character of use under Certificates (C) 82569 and 82851. C-82569 allows the use of 1.55 cubic feet per second from a well in Sec. 34, T36S, R14E, WM for municipal use in Sects. 34 and 35, T36S, R14E, WM, and Sects. 2 and 3, T37S, R14E, WM. The applicant proposes additional points of appropriation in Sec. 34, T36S, R14E, WM, and Sec. 3, T37S, R14E, WM and to change the place of use within Sects. 34 and 35, T36S, R14E, WM, and Sects. 2 and 3, T37S, R14E, WM. C-82851 allows the use of 1.38 cubic feet per second from a well in Sec. 3, T37S, R14E, WM for domestic water supply for the community of Bley-Was Heights, including commercial purposes in Sec. 3, T37S, R14E, WM. The applicant proposes additional points of appropriation in Sec. 34, T36S, R14E, WM, to change the place of use to Sects. 34 and 35, T36S, R14E, WM, and Sects. 2 and 3, T37S, R14E, WM, and to change the character of use to municipal use. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

**T-12693** filed by Patrick Speer, 19863 Quail Pine Loop, Bend, OR 97702, proposes a change in point of diversion and place of use under Certificate 15472, and a change in place of use under Certificate 88122. Certificate 15472 allows the use of 0.68 cubic foot per second (cfs) from the Tualatin River in Sec. 3, T1S, R3W, WM, for irrigation in Sec. 3, T1S, R3W, WM. Certificate 88122 allows the use of 1.09 cfs, being 0.61cfs from Scoggins Creek and Reservoir, 0.02 cfs from Gales Creek, and 0.46 cfs from the Tualatin River in Sec. 11, T1S, R3W, WM, for irrigation in Sec. 11, T1S, R3W, WM and supplemental irrigation in Sec. 3, T1S, R3W, WM. The applicant proposes to move the point of diversion under Certificate 15472 to Sec. 11, T1S, R3W, WM, and to change the place of use to Sec. 11, T1S, R3W, WM. The Water Resources Department proposes to approve/deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

## Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	<a href="#">T 13110</a>
Water Right	Permit: G 17486
County/Basin	Harney / Malheur Lake (12)
Applicant Name	SINGHOSE, TRAVIS AND KELLY 29327 WEAVER SPRINGS LANE BURNS, OR 97720
Proposed Change	POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > SAGE HEN CREEK BASIN / 25.00S 31.00E 15 NWNE
Use/Quantity	IRRIGATION / 3.870 CFS
Priority Date	01/13/2014

## **Transfer Applications: Ground Water Registration Modification**

The holder of a ground water certificate of registration may request that the Department recognize a change in point of appropriation, place of use or character of use under the ground water registration. Modifications of ground water registrations are authorized under ORS 537.610(4) and OAR Chapter 382.

The Department seeks public comment on the recently-filed applications for recognition of modifications in ground water registrations listed below. Any person may comment on an application for a ground water registration modification. Comments must be received by the Department on or before February 28, 2019. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be recognized after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	<a href="#">T-13109</a>
Water Right	Claim: GR 810
County/Basin	Marion / Willamette (2)
Applicant Name	FIVE OAK FARMS LLC 7705 HAZELGREEN RD NE SALEM, OR 97305
Proposed Change	PLACE OF USE
Sources/TRSQ40Q160	A WELL > HOWELL PRAIRIE CREEK / 6.00S 1.00W 31 NWSW
Use/Quantity	IRRIGATION / 0.258 CFS
Priority Date	09/30/1942

## **Water Management and Conservation Plan Progress Reports**

Pursuant to OAR 690-086-0120(4) and (5), the Department is required to give notice of progress reports on Water Management and Conservation Plans.

Any person may review and comment on these progress reports. The Department requests that comments be submitted no later than 30 days after the date of this notice.

Progress reports have been submitted by the following municipal supplier(s):

### **City of Irrigon (Municipal)**

To review any of the above progress report(s) or to provide comments on the progress report(s), contact Kerri H. Cope at 503-986-0919 or [Kerri.H.Cope@oregon.gov](mailto:Kerri.H.Cope@oregon.gov).

## Certificate Issuance

Following is a list of certificates that have been recently issued. If you are viewing this electronically then you should be able to view the certificate by clicking on the underlined blue text. Appeal rights are provided on each certificate document.

Cert# [94200](#)  
App: S 87113  
County/Basin Douglas / Umpqua (16)  
Applicant Name BACKEN, JOHN ERIC  
BACKEN, DAVID HOWARD  
Priority Date 03/10/2008  
Issue Date 01/25/2019

Cert# [94196](#)  
App: S 71134  
County/Basin Marion / Willamette (2)  
Applicant Name BAKER ROCK  
Priority Date 01/18/1991  
Issue Date 01/25/2019

Cert# [94212](#)  
App: G 15727  
County/Basin Baker / Powder (9)  
Applicant Name BEAVER, THOMAS  
Priority Date 03/20/2002  
Issue Date 01/25/2019

Cert# [94213](#)  
App: S 84609  
County/Basin Jackson / Rogue (15)  
Applicant Name MACHADO, GREGORY  
MACHADO, CAROL  
Priority Date 11/24/2000  
Issue Date 01/25/2019

Cert# [94201](#)  
Xfer: T 12622  
County/Basin Jackson / Rogue (15)  
Applicant Name PELISSIER, DANIEL R.  
Priority Date 12/31/1908  
Issue Date 01/25/2019

Cert# [94211](#)  
App: G 14698  
County/Basin Union / Grande Ronde (8)  
Applicant Name R D MAC INC.  
Priority Date 03/11/1998  
Issue Date 01/25/2019

Cert# [94215](#)  
App: R 84973  
County/Basin Benton / Willamette (2)  
Applicant Name SARAH L EHLERS LIVING TRUST 2006  
Priority Date 11/26/2001  
Issue Date 01/25/2019

Cert# [94214](#)  
App: R 84334  
County/Basin Union / Grande Ronde (8)  
Applicant Name WARREN, FORREST  
Priority Date 01/31/2000  
Issue Date 01/25/2019

## **Notice of Intent to Reauthorize**

To provide comments or receive future notices about the application and to participate in the reauthorization process, please contact Craig Kohanek at [Ron.c.kohanek@oregon.gov](mailto:Ron.c.kohanek@oregon.gov) or mail him at 725 Summer Street NE, Suite A, Salem, OR 97301-1266.

Application Number:	<b>HE 260</b>
Name:	Loyd F. Fery
County:	Marion
Basin:	Willamette
Stream:	North Santiam River, Creek, tributary to Santiam River
State Expiration Date:	December 31, 2021
Project Description:	A minor hydroelectric project using 70 cubic feet per second from the North Santiam River to generate up to 67.7 theoretical horsepower for onsite use and sale to a public utility. The project powerhouse is located in Township 9 South, Range 1 West, Section 17 SW1/4 of the NE1/4.

# OREGON WATER RESOURCES DEPARTMENT



725 Summer Street NE Suite A  
Salem OR 97301

**PUBLIC NOTICE OF WATER USE REQUESTS**  
January 29, 2019

Use this form to offer comments on water use requests or other items in this notice, or to order copies of proposed and final orders. You are welcome to submit comments on a separate sheet, but please be sure to include your name and address and reference the specific request or document that concerns you. Please mail your comments to the address listed above.

Alternatively, you may use our new Public Comment tool available on our website. Go to our website: <http://apps.wrd.state.or.us/apps/wr/wrinfo/>, and enter identifying information about the application. On the Water Rights Information Query Results page, use the "Submit a Public Comment" link, or under 'View all Scanned Documents' use the "Submit a Public Comment" link.

**Water Use Request Type & File Number**

(e.g. "Permit Application G-12345" or "Transfer T-1234"):

Mail me the order  
(payment enclosed)\*

[ ]  
[ ]  
[ ]

**Your Name, Address, and Phone Number:**

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\* We are required by law to charge a fee of \$25 to mail a copy of proposed and final orders on a pending permit or permit extension applications to any interested person. Please include a check made out to the Oregon Water Resources Department in the amount of \$25 for each type of order you would like mailed to you. This fee entitles you to also receive a copy of the final order, when issued. Copies of proposed and final orders are also available for viewing (at no charge) at our Salem office, at the local watermaster office, or online.